

12-03-01

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Docket No. 2896-4005

Express Mail No. EL 853 252 215US



27123

PATENT TRADEMARK OFFICE

↑AFFIX CUSTOMER NO. LABEL ABOVE ↑

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))

Commissioner for Patents
2900 Crystal Dr.
Arlington, VA 22202-3513



BOX: NEW PATENT APPLICATION

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- (1) Lexun XUE
40 Daxue Road
Zhengzhou, Henan 450052
PR China
- (2) Weidong PAN
40 Daxue Road
Zhengzhou, Henan 450052
PR China
- (3) Guozhong JIANG
40 Daxue Road
Zhengzhou, Henan 450052
PR China
- (4) Jianmin WANG
40 Daxue Road
Zhengzhou, Henan 450052
PR China;

For: TRANSGENIC DUNALIELLA SALINA AS A BIOREACTOR

Enclosed Are:

- 11 page(s) of specification
1 page(s) of Abstract
2 page(s) of claims
4 sheets of ☒ Formal ☐ Informal drawings

7 page(s) of Declaration and Power of Attorney

- ☒ Unsigned
☐ Newly Executed
☐ Copy from prior application
☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☐ Incorporation by Reference:

- ☐ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))

Signed statement attached deleting inventor(s) named in the prior application serial no. .
_____, filed _____.

☒ Microfiche Computer Program (Appendix)

- ☒ page(s) of Sequence Listing
☒ computer readable disk containing Sequence Listing
☒ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

☐ Assignment Papers (assignment cover sheet and assignment documents)

- ☐ A check in the amount of \$40.00 for recording the Assignment
☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. _____.
☐ Assignment Papers filed in the parent application Serial No.

☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

- ☒ Priority is claimed under 35 U.S.C. §119 for:
 Application No(s). 00131217.0, filed December 3, 2000, in PR China (country); and
01128486.2, filed September 21, 2001, in PR China (country)..

☐ Certified Copy of Priority Document(s) [_____]

- ☐ filed herewith
☐ filed in application Serial No. _____, filed _____.

☐ English translation document(s) [_____]

☐ filed herewith

☐ filed in application Serial No. _____, filed _____.

☐ Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. _____, filed _____.

☐ Information Disclosure Statement

☐ Copy of [_____] cited references

☐ PTO Form-1449

☐ References cited in parent application Serial No. _____, filed _____.

☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)

☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.

☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.

☐ A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.

☐ Preliminary Amendment

☒ Return receipt postcard (MPEP 503)

☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. _____, filed _____, to which priority under 35 U.S.C. §120 is claimed.

☐ Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).

☐ The status of the parent application is as follows:

☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.

☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.

☐ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.

☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.

- ☐ Transfer the drawing(s) from the parent application to this application
- ☐ Amend the specification by inserting before the first line the sentence:
This is ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application
Serial No. _____, filed _____.

I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$740.00/370.00
Total Claims	18- 20 =	0x	\$18.00/ \$9.00	\$ 0
Independent Claims	2- 3 =	0x	\$84.00/ \$42.00	\$ 0
<input checked="" type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$280.00 (\$140.00)		\$ 280
TOTAL:				\$ 1,020.00

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$_____.
- ☒ A check in the amount of \$1,020.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2896-4005. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

By: _____

Maria C.H. Lin
Maria C.H. Lin
Registration No. 29,323

Dated: November 29, 2001

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Lexun XUE et al.
Serial No. : TBA Group Art Unit: TBA
Filing Date : Herewith (November 29, 2001) Examiner: TBA
For : TRANSGENIC DUNALIELLA SALINA AS A BIOREACTOR

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EL 853 252 215US

Date of Deposit November 29, 2001

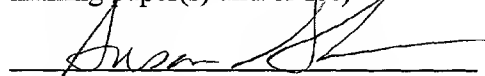
I hereby certify that the following attached paper(s) and/or fee

1. Patent Application (Specification of 11 pages, 2 pages of claims, 1 page Abstract, 4 pages of formal drawings, and 3 pages of Bibliographic Sheets);
2. Utility Application and Application Fee Transmittal (4 pages), (in duplicate);
3. Check for \$1,020.00 for filing fee;
4. Unexecuted Combined Declaration and Power of Attorney (7 pages);
5. Unexecuted Assignment (2 pages);
6. Statement under 37 CFR 1.821;
7. Paper and diskette copy of Sequence Listing; and
8. Return Receipt Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Susan Shen

(Typed or printed name of person
mailing paper(s) and/or fee)


(Signature of person mailing
paper(s) and/or fee)

CORRESPONDENCE ADDRESS:
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PATENT
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BIOREACTOR

Commissioner for Patents
Washington, D.C. 20231

BOX: New Patent Application

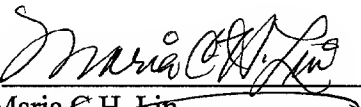
Transmittal Letter

Sir:

Attached hereto to obtain a filing date is a copy of the application identified hereinabove.
The specification, claims and drawing are in Chinese. An English translation of the
specification, claims and drawing will be submitted at a later date.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: November 29, 2001

By: 
Maria C.H. Lin
Registration No. 29,323

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Lexun XUE et al.

Serial No. : TBA Group Art Unit: TBA

Filing Date : Herewith (November 29, 2001) Examiner: TBA

For : TRANSGENIC DUNALIELLA SALINA AS A
BIOREACTOR

Commissioner for Patents
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. §1.821(f) or §1.825(b)

Sir:

I hereby certify that:

- ☒ [X] The paper Sequence Listing and computer readable Sequence Listing submitted herewith are identical (37. C.F.R. §1.821(f)). No new matter is presented (37 C.F.R. §1.825(a)).
- ☐ [] The substitute paper Sequence Listing and substitute computer readable Sequence Listing submitted herewith are identical. No new matter is included (37 C.F.R. §1.825(b)).

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: November 29, 2001

By: 
Maria C.H. Lin
Registration No. 29,323

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